

SEP 25 2006

446.016-DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
PEYMAN et al  
Serial No.: 10/808,496  
Filed: March 24, 2004  
For: NAPHTHYRIDINE...THEM

: Examiner: T. Truong

: Group: 1624

Hedman and Costigan  
1185 Avenue of the Americas  
New York, NY 10036  
September 25, 2006

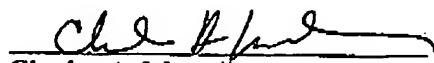
RESPONSE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants request the Examiner to examine claim 11 with claims 1 to 6 and 8. The Examiner in the advisory action held for the first time that claim 11 was not being examined because a constructive election of the compound claims had been made in the first action. However, claim 11 had been examined in the final rejection and so the Examiner has examined claim 11 already without difficulty. Therefore, rejoinder of claim 11 is requested.

Respectfully submitted,  
Hedman and Costigan

  
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CAM:mlp